
**DEPARTMENT
POLICY****Medicaid (MA) Only**

As explained in detail below, the following persons are automatically eligible for Group 1 MA.

- Department wards.
- Social Security Act title IV-E foster care (FC) recipients.
- Children with title IV-E adoption assistance agreements.
- Special needs children with adoption assistance agreements.

Adoption assistance agreements are also called adoption support subsidy agreements.

Other children, for example court wards, may be eligible under other MA categories such as Healthy Kids; see BEM 105. MA coverage for court wards is not automatic. Local office specialists are responsible for opening and maintaining these cases.

Note: An ex parte review (see glossary) is required before Medicaid closures when there is an actual or anticipated change, unless the change would result in closure due to ineligibility for all Medicaid. When possible, an ex parte review should begin at least 90 days before the anticipated change is expected to result in case closure. The review includes consideration of all MA categories; see BAM 115 and 220.

**DEPARTMENT
WARDS**

Department wards are automatically eligible for Group 1 MA. A department ward is any child who:

- Has been committed to, or placed with, the department by a court order; and
- Does not live with his parent(s); and
- Is not a title IV-E recipient; or
- Is a former permanent court ward or state (MCI) ward, placed for adoption, but not finalized (adoption supervision period), and who is not receiving an adoption support subsidy.

- Does not have a special needs adoption assistance agreement, and
- Is not placed in Bay Pines Center, Shawono Center.

Authorizing MA

The local office children's services workers will open and maintain current MA for a department ward; see FOM 803, Medicaid Foster Care. Current MA eligibility begins with the first day of the month the court order was received by the agency. Applications are not required for department wards for current MA.

Local office specialists are responsible for retro MA determinations. Applications are required for retro MA.

TITLE IV-E FOSTER CARE

Any child for whom FC maintenance payments are made under title IV-E of the Social Security Act is eligible for Group 1 MA. A title IV-E FC maintenance payment is ADC-FC. The child is eligible for Group 1 MA in the state where he is physically present even if the ADC-FC payments are made by another state.

Authorizing MA

Local office children's services workers will open and maintain current MA for children receiving title IV-E FC who are physically present in Michigan. See CFF 902-11. Applications are not required for children receiving title IV-E foster care for current MA.

Specialists are responsible for retro MA determinations. Applications are required for retro MA.

ADOPTION ASSISTANCE AGREEMENTS

There are federally-funded adoption agreements and state-funded adoption agreements. These arrangements are also called adoption support subsidy agreements.

Federally-funded adoption agreements are agreements under title IV-E of the Social Security Act.

**Title IV-E Adoption
Assistance
Agreements**

Any child for whom there is an adoption assistance agreement in effect under title IV-E of the Social Security Act is eligible for Group 1 MA. The child is eligible for MA in the state where he/she is physically present even if the adoption assistance agreement is with another state. The adoption assistance agreement need not provide for an actual adoption assistance payment.

**Special Needs
Adoption
Assistance
Agreement**

A child for whom there is a special needs adoption assistance agreement in effect is eligible for Group 1 MA. A special needs adoption assistance agreement means a state-funded adoption assistance agreement for a child who:

- Has special needs for medical, mental health or rehabilitative care, and
- Cannot be placed without medical assistance.

The child is eligible for MA in the state where he/she is physically present even if the adoption assistance agreement is with another state. The adoption assistance agreement need not provide for an actual adoption assistance payment.

Authorizing MA

The Division of Adoption Services (DAS) in central office authorizes and maintains current MA for a child with an adoption assistance agreement. An application is not required for DAS to authorize current MA.

Local office specialists are responsible for retro MA determinations. An application is required for retro MA.

**OUT-OF-STATE
ADOPTION
ASSISTANCE
AGREEMENTS**

A child with an adoption assistance agreement with another state who moves to Michigan may contact the local office requesting MA. In that situation use the following procedure.

1. Follow the policies in BAM 110, Application Filing and Registration.

The purpose of obtaining an application is to protect the application date in case it is determined that the child does not have a qualified adoption assistance agreement.

A complete application for MA for a child eligible based on an adoption assistance agreement is an application containing:

- Family's address and telephone number.
- Parent's name and birthdate.
- Child's name, social security number (if he has one), birthdate and sex.
- Name of any health insurance for the child.
- Signature.

2. Obtain the date the child came to Michigan.
3. Follow the procedure in BEM 257 to identify any third party resource liability and complete the MSA-1354 and/or MSA-1354A as appropriate.
4. Obtain a copy of the adoption assistance agreement.
5. Send a memo requesting an MA eligibility determination to the Adoption Subsidy Program in central office. The memo should include:
 - The date the child came to Michigan.
 - The name, address and telephone number of the child's parents.

- The adopted child's name, social security number (if he has one), date of birth and sex.
- The name, address and telephone number of the out-of-state agency who is a party to the adoption assistance agreement.
- A copy of the adoption assistance agreement.
- All copies of the MSA-1354 and MSA-1354A.

The **EXHIBIT** in this item shows a format for the memo.

Send the memo via ID mail to:

Department of Human Services
Adoption Subsidy Program
Division of Adoption Services
235 S Grand Avenue
PO Box 30037
Lansing, MI 48909

LEGAL BASE

MA

P.L. 99-272, Sections 9529 and 12305
42 CFR 435.115; .227; .403

EXHIBIT

STATE OF MICHIGAN

DEPARTMENT OF HUMAN SERVICES

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----- MEMORANDUM -----

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TO:

DATE:

FROM:

SUBJECT: Adoption Assistance Agreement
(Case Number)

Medicaid has been requested for the child named below. A copy of his adoption assistance agreement is attached. All copies of any MSA-1354 or MSA-1354A are also attached.

Child:

(Name)
(Date of Birth)
(Social Security Number)
(Sex)
(Date Came to Michigan)

Parents:

(Name)
(Street)
(City)
(State) (Zip Code)
(Area Code) (Telephone Number)

Out-of-State
Agency:

(Name)
(Street)
(City)
(State) (Zip Code)
(Area Code) (Telephone Number)